IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

10/677,122

Filing Date:

October 1, 2003

Applicant:

Kozo Odamura et al.

Group Art Unit:

1794

Examiner:

Timothy M.Speer

Title:

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Attorney Docket:

1300-000005/US

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

REQUEST FOR REFUND PURSUANT TO 37 C.F.R. § 1.26(b)

Sir:

Pursuant to 37 C.F.R. § 1.26(b), Applicant hereby requests a refund of \$280.00 for excess payment of extension of time fees. On June 11, 2008, Applicant filed an Amendment with payment of a three-month extension of time fee of \$1050.00 in response to the Office Action mailed December 11, 2007. On July 23, 2008 the USPTO additionally deducted \$280.00 from Applicant's Deposit Account. On August 20, 2008, Applicant inquired about the deduction and was told that the \$280.00 was for a small entity extension fee. Since no such small entity extension fee was due, Applicant requests that the \$280.00 previously paid on July 23, 2008 for an extension of time be refunded to **Deposit Account No. 08-0750**.

Favorable consideration of this request is respectfully submitted.

Respectfully submitted,

Dated: September 4, 2008

Michael E. Hilton, Reg. No. 33,509

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